



RT INDUSTRIES, INC

POLICY STATEMENT: P-26

SUBJECT: LEAVE OF ABSENCE FOR NON-FMLA & MILITARY REASONS

I. INTRODUCTION

RT Industries (RTI) recognizes employees may need time away from work beyond the legal provisions of the Family Medical Leave Act (FMLA) and the provisions of RTI's Policy Statement P-30: Paid Leave Benefits and Policy Statement P-23: Employee Attendance. In an effort to support our employees in managing their lives outside of work, RTI allows for the following additional leave provisions in this policy:

- A. Time Off Without Pay;
- B. Critical Personal Leave of Absence;
- C. Non-FMLA Medical Leave of Absence;
- D. Personal Leave of Absence; and
- E. Military Leave of Absence (in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA)).

The eligibility, duration, request procedure and provisions of each leave option are discussed throughout this policy. When the need arises, employees should discuss their leave options with his/her supervisor and/or the HR Director. Employees should discuss leave rights under such laws as FMLA and USERRA with the HR Director before resorting to Non-FMLA and Non-Military leave options in this policy.

This policy generally provides up to six (6) months of leave in total in any rolling twelve (12) month period unless otherwise required by law, including the Americans with Disabilities Act Amendments Act (ADAAA). All leaves (except military leave provided under USERRA) of absence are concurrent and count towards the six (6) months.

II. TIME OFF WITHOUT PAY

RTI recognizes that an employee may need occasional time off of work and have limited or zero Paid Time Off (PTO) accrued and available. Under this policy, employees may be authorized to take time off of work without pay.

A. ELIGIBILITY

All employees, regardless of length of company service are eligible to request Time Off Without Pay.

B. REQUESTING TIME OFF WITHOUT PAY

Time Off Without Pay will normally be granted on a first request basis and must conform to department needs and schedules. RTI's Leave of Absence Request Form must be completed and submitted to his/her direct supervisor in advance of the time off requested following these guidelines:

1 to 8 hours	Advance request of at least 48 hours
2 to 5 days	Advance request of at least 2 weeks

Time Off Without Pay requests that do not meet the notification guidelines will be considered as an unscheduled absence under RTI's Policy Statement P-23: Employee Attendance. RTI reserves the right to approve Time Off Without Pay consistent with needs of the department, schedules and persons served, which means there may be times with requests will not be approved. Upon approval by the supervisor, the request will be reviewed and approved at the discretion of the CEO.

The time off provided for in this policy is different from leave that may be required under applicable laws such as the FMLA and USERRA. Absences that are covered by the FMLA or USERRA are not covered by this policy. Employees should discuss leave rights under such laws with the HR Director before resorting to Time Off Without Pay provided for in this policy.

C. PROVISIONS

1. Whenever possible, PTO should be taken in lieu of Time Off Without Pay. However, RTI understands the financial burden that could result if PTO is not available to the employee to cover family vacations, future sick time, closures, etc. Consideration will be made for employees wishing to bank PTO time for future needs.
2. Employees may request Time Off Without Pay for days and hours for which they would otherwise have been regularly scheduled for work.
3. Time Off Without Pay may be requested in units of six (6) minutes (.10 hour increments) and no more than five (5) working days. Employees requiring leave for more than five (5) working days should request leave of absence under RTI's other leave policies provided for in this policy.
4. The following considerations will be made by the CEO when reviewing and approving requests:
 - a. The total # of Time Off Without Pay Requests and the frequency to which they occurred over the prior twelve (12) month rolling calendar time frame;
 - b. The employee's total leave of absence and absenteeism over the prior twelve (12) month rolling calendar time frame;

- c. The employee's current PTO accrual balance;
- d. Recent RTI closures within the prior sixty (60) days; and
- e. The reason for the request.

III. CRITICAL PERSONAL LEAVE OF ABSENCE

RTI recognizes that an employee may need to be absent from work in order to attend to critical personal situations (where the leave does not qualify under FMLA, USERRA or meet the requirements of RTI's Policy Statement P-30: Paid Leave Benefits Policy or Non-FMLA Medical Leave as provided in this policy).

Under this policy, critical personal leaves may be approved for employees who are:

- Caring for the employee's newborn child within one (1) year of birth, or placement for adoption or foster care;
- Caregivers for his/her own child, parent or spouse (family members as defined by FMLA) who has a serious health condition;
- An exigency (as defined by FMLA) arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty";
- To care for a covered service member with a serious injury or illness if the eligible employee is the servicemember's spouse, child or parent;
- Victims (or the caregiver of a family member that is a victim) of domestic violence;
- Victims (or the caregiver of a family member that is a victim) of criminal acts;
- Victims (or the caregiver of a family member that is a victim) of natural disasters; or
- Emergency situations, subject to the discretion of the CEO.

A. ELIGIBILITY

All employees, regardless of length of company service, are eligible for leaves that meet any of the above-referenced circumstances.

The leave provided for in this policy is different from leave that may be required under applicable laws such as the FMLA and USERRA. Absences that are covered by the FMLA or USERRA are not covered by this policy. Employees should discuss leave rights under such laws with the HR Director before resorting to the leave provided for in this policy.

B. REQUESTING CRITICAL PERSONAL LEAVE

The employee is expected to provide at least thirty (30) days' notice when requesting leave. The Leave of Absence Request Form must be completed and submitted to the HR Director. When an employee becomes aware of a need for leave less than thirty (30) days in advance, the employee must provide notice of the need for the leave either the same day, the next business day, or as soon as reasonably practicable. Leave requests that are not submitted according to policy and as soon as practicable may be denied.

Employees approved for Critical Personal Leave of Absence must use all available Emergency Time Off (ETO). Employees must also use all accrued Paid Time Off (PTO) for the approved period of leave, otherwise the leave duration is unpaid.

All leave requests should be accompanied by documentation supporting the necessity for the leave except where this would cause an undue hardship on the employee, in which case documentation must be provided within a reasonable time period.

Examples of appropriate documentation include court documentation for any criminal proceeding in which the employee (or household family member) was a victim; insurance company documentation of major sustained loss or damage to a residence or other property of the employee; physician documentation of necessity for medical care or disability; and local social welfare, victim's assistance group or Church certification in cases of domestic violence.

C. LEAVE DURATION

Critical personal leaves may be taken in a continuous block of time or sporadically as dictated by the period specified in the documented leave request. Under no circumstances will leave be approved in advance for continuous periods beyond eight (8) weeks. Sporadic, or "intermittent," leave may be approved for no more than a duration of ninety (90) days. However, employees may submit subsequent documented leave requests for continuation of leave when necessary. For approved sporadic, or "intermittent" leave, employees are required to follow department-specific call off procedures.

While employees who take critical personal leave do not have job restoration rights, RTI will attempt to hold an employee's position open for the period of leave approved, if such leave is eight (8) weeks or less. RTI will generally attempt to reinstate the employee to the same position or a position with equivalent status, pay, benefits and other employment terms upon the employee's return before or at the end of the approved leave period. If leave is greater than eight (8) weeks, the employee will be considered for reemployment in an available opportunity over the next six (6) months, if qualified.

IV. NON-FMLA MEDICAL LEAVE OF ABSENCE

The policy of RTI is to consider an employee's request for a medical leave (where the leave does not qualify for protection under the FMLA) in accordance with guidelines set forth below. This policy generally provides up to six (6) months of leave in any rolling twelve (12) month period unless otherwise required by law, including the Americans with Disabilities Act Amendments Act (ADAAA). All leaves (except military leave provided under USERRA) of absence are concurrent and count towards the six (6) months.

A. LEAVE DURATION WITHIN FIRST YEAR OF EMPLOYMENT

An employee with a serious medical condition as defined under the FMLA, who is in his or her first year of employment, may request a leave of absence for a self-qualifying medical event.

This leave will be considered for employees that need to be out of work for five (5) or more consecutive days. Employees may take leave up to eight (8) weeks within their first twelve (12) months of service at RTI. Intermittent leave under Non-FMLA is not permitted unless such leave has been approved as a reasonable disability related accommodation pursuant to the ADAAA. Requests for disability accommodations should be made to the HR Director.

B. LEAVE AFTER FIRST TWELVE (12) MONTHS OF EMPLOYMENT

An employee with a serious medical condition as defined under the FMLA who does not meet 1,250 hour requirement or has exhausted leave available under the FMLA may request a leave of absence for a self-qualifying medical event. Time away from work will generally not exceed six (6) months in a "rolling" 12-month period. Intermittent leave under Non-FMLA is not permitted unless such leave has been approved as a reasonable disability related accommodation pursuant to the ADAAA.

C. REQUESTING A NON-FMLA MEDICAL LEAVE

The employee is expected to provide at least thirty (30) days' notice when requesting leave. The Leave of Absence Request Form must be completed and submitted to the HR Director. When an employee becomes aware of a need for leave less than thirty (30) days in advance, the employee must provide notice of the need for the leave either the same day, the next business day, or as soon as reasonably practicable. Leave requests that are not submitted according to policy and as soon as practicable may be denied.

Employees approved for Non-FMLA Medical Leave must use all available ETO. Employees must also use all accrued PTO for the approved period of leave, otherwise the leave duration is unpaid.

D. CERTIFICATIONS FOR NON-FMLA MEDICAL LEAVE

RTI will require certification for the employee's serious health condition. The HR Director will receive all medical certifications. The employee must respond to the request for certification within fifteen (15) calendar days of the notice of eligibility. Failure to comply with the above-mentioned requirements will result in denial of leave or reinstatement from leave, in which case the employee's leave of absence would be unauthorized, subjecting the employee to RTI's Policy Statement P-23: Employee Attendance, which may result in corrective action up to and including termination of employment.

If an incomplete medical certification is received, the HR Director will provide the employee with the opportunity have the health care provider correct the certification. The employee will have seven (7) calendar days to resolve any deficiencies in the medical certification. If, after seven (7) calendar days the identified deficiencies have not been resolved, the request for leave will be denied.

E. JOB RESTORATION

Employees who take a non-FMLA Medical Leave do not have job restoration rights. However, RTI will generally reinstate the employee to the same position or a position with equivalent status, pay, benefits and other employment terms upon the employee's return before or at the end of the approved leave period. The employee will be considered for reemployment in an available opportunity over the next six (6) months, if qualified.

V. PERSONAL LEAVE OF ABSENCE

A personal leave of absence may be granted, upon request, to all employees for important pressing personal needs, at the discretion of the CEO. Personal leave may be considered for time needed away from work for reasons that do not qualify under the provisions of RTI's other leave policies, for reasons such as educational opportunities, the birth of a grandchild, relocation, etc. Accepting employment elsewhere is not an approved reason for personal leave.

A. ELIGIBILITY

An eligible employee who has completed his/her ninety (90) day Introductory Period and who is in good standing (has not received a written or final warning under RTI's Policy Statement P13: Performance Management and Corrective Action and Policy Statement P23: Employee Attendance) within the previous six (6) months may request personal leave of absence.

B. REQUESTING A PERSONAL LEAVE

The employee is expected to provide at least thirty (30) days' notice when requesting leave. To request a Personal Leave, RTI's Leave of Absence request form must be completed and submitted to the HR Director. When an employee becomes aware of a need for leave less than thirty (30) days in advance, the employee must provide notice of the need for the leave either the same day, the next business day, or as soon as reasonably practicable. Leave requests that are not submitted according to policy and as soon as practicable may be denied.

Employees approved for Personal Leave must use all available ETO. Employees must also use all accrued PTO for the approved period of leave, otherwise the leave duration is unpaid.

The CEO will consider the following when reviewing the request for approval:

1. The purpose for which the leave is requested;
2. The length of time the employee will be away;
3. The effect the leave will have on the ability of the department to carry out its responsibilities; and
4. The quality of the employee's performance prior to the submission of the request.

C. LEAVE DURATION

Personal leaves may only be taken in a continuous block of time. Under no circumstances will leave be approved in advance for continuous periods beyond four (4) weeks. While employees who take personal leave do not have job restoration rights, RTI will generally attempt to hold an employee's position open for the period of personal leave, if such leave is four (4) weeks or less.

RTI will attempt to reinstate the employee to the same position or a position with equivalent status, pay, benefits and other employment terms upon the employee's return before or at the end of the approved leave period. If leave is greater than four (4) weeks, the employee will be considered for reemployment in an available opportunity over the next six (6) months, if qualified. Personal leaves are limited to one (1) per twelve (12) month rolling calendar year.

VI. MILITARY LEAVE OF ABSENCE

RTI is committed to protecting the job rights of employees absent on military leave for up to five (5) years. In accordance with USERRA, no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the uniformed services of the United States. Specifically, no person will be denied employment, reemployment, promotion or other benefit of employment on the basis of such membership.

Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his/her rights under applicable law or company policy. If an employee believes that he/she has been subjected to discrimination in violation of company policy, the employee should immediately contact the HR Director.

A. ELIGIBILITY

Employees taking part in a variety of military duties are eligible for benefits under this policy. Such military duties include leaves of absence taken by members of the uniformed services, including Reservists and National Guard members, for training, periods of active military service and funeral honors duty, as well as time spent being examined to determine fitness to perform such service.

B. REQUESTING MILITARY LEAVE

When an employee is called to military service, USERRA requires the employee in the uniformed services to give advance written or verbal notice of the service to their employer, unless such notice is precluded by military necessity. The employee should submit RTI's Leave of Absence Request Form and documentation to the HR Director when notified of an impending call to service or as soon as possible.

An employee on military leave is unpaid; however, the employee may opt to, but is not required to use PTO during the time that he/she is performing military service. PTO is not accrued while the employee is on military leave. Additionally, ETO is not required to be used while on military leave.

C. LEAVE DURATION

Employees who must be absent from work due to military duty will be placed on military leave of absence for the time period consistent with military orders. RTI will activate the returning veteran's benefits based upon the length of service he/she would have had if he/she remained on

the job. Subject to certain exceptions, periods of leave of absence are limited to five (5) years.

D. RETURNING TO WORK AFTER MILITARY DUTY

To be eligible for protection under USERRA, the employee must report back to work or apply for reemployment within the following guidelines:

1. If the employee served fewer than thirty-one (31) days or was away from RTI for other qualified reasons, the employee must return to work the next regularly scheduled workday.
2. If the employee served more than thirty (30) days but fewer than one-hundred and eighty-one (181) days, the employee must notify the HR Director of his/her intention to return to work within fourteen (14) days after completion of service.
3. If the employee served more than 180 days, the employee must notify the HR Director of his/her intention to return to work within ninety (90) days after completion of service.
4. Upon notification of intent to return to work, the employee must provide military discharge documentation to the HR Director that establishes timeliness of application for reemployment and length of the employee's military service.

An employee returning from military leave will receive seniority and other benefits determined by seniority that the employee had at the beginning of the military leave, plus any additional seniority and benefits the employee would have obtained with continuous employment. In addition, time spent on active duty will be counted towards eligibility for FMLA once the employee has returned to work.

VII. GENERAL LEAVE OF ABSENCE PROVISIONS

A. BENEFIT PLAN CONTINUATION

When the employee's leave of absence under the leave provisions in this policy requires sustained periods of absence, RTI will permit benefit continuation during such periods of leave to a maximum of thirty-one (31) days on the same basis as active employees, as long as the employee pays his/her portion of the premium. Employees should establish in advance a contribution payment schedule with the HR Director prior to the commencement of leave. If the leave is greater than thirty-one (31) days, the employee may elect to continue healthcare coverage as provided under COBRA.

If coverage is terminated at the employee's option, RTI may not impose a waiting period for benefit reinstatement upon return to employment. 401(k) contributions and employee Health Savings Account contributions will be suspended during periods of unpaid leave and reinstated upon an employee's return to work.

B. MAKING ARRANGEMENTS PRIOR TO LEAVE

Employees will need to meet with the HR Director prior to the commencement of leave, or in the event of emergency leave as soon as practicable, to: confirm approved leave dates, ensure that required verification is on file and acknowledge the health care payment schedule for insurance continuation during unpaid leave. Employees must also meet with his/her supervisor to review outstanding work assignments prior to taking leave, or as soon as practicable if leave is unforeseeable. Failure to meet with the HR Director or the supervisor as required may have leave denied under this policy and may be subject to corrective action.

C. PROCEDURE FOR RETURNING FROM LEAVE

Unless specified in the individual leave provisions in this policy, the following procedure for returning from leave will apply:

1. An employee who has been granted leave under the provisions of this policy, shall give his/her supervisor reasonable notification of his/her intent to return to work at least one (1) week prior to the return date.
2. Upon receiving notification of the employee's availability, the supervisor or Department Director will arrange to have the employee resume his or her previous position, if available.
3. If the previous position is no longer available, the employee may be considered for other open positions which he or she may be qualified for and as they become available.
4. If no position exists, the employee will remain on unpaid personal leave until a suitable opening develops. If such an opening does not occur at the end of the specified reemployment time frame any obligation to reinstate the employee is discontinued and the employee's leave status is changed to a voluntary termination. Future reemployment would be as a rehire with only legally required reinstatement of applicable benefits.
5. Employees on leave for their own medical reason must submit a release from their healthcare provider confirming the release to return to work to perform regular duties or set forth any restrictions. If the employee is released to return to work with restrictions, the supervisor in conjunction with the Department Director, HR Director and the CEO will determine whether the restriction can be reasonably accommodated. Medical restrictions are those that prevent the employee from performing his/her regular duties at the end of the approved leave due to a continuing medical condition.
6. If the employee is not medically released to return to work at the end of his or her leave and the employee has not been granted any additional leave, employment ends as "unable to return from leave" effective the last day of the approved leave, unless a continuation of leave has been granted as an accommodation under the ADAAA, or for other reasons.
7. Any employee who fails to return to work as scheduled after leave may be subject to termination of employment. Employees who exceed their leave without extension(s) of their leave approved under appropriate leave provisions, may be subject to termination of employment pursuant to RTI's Policy Statement P-23: Employee Attendance.

D. CONFIDENTIALITY

A request for leave by an employee will be kept confidential, and information related to the reason for the leave will be restricted to those with a need to know, such as direct supervisors, department directors and the CEO.

E. COORDINATION WITH OTHER POLICIES

1. ATTENDANCE AND NON-FMLA/MILITARY LEAVE

Absences covered under the leave of absence provisions of this policy will not be counted as occurrences of absenteeism under RTI's Policy Statement P-23: Employee Attendance. However, employees may be subject to corrective action up to and including termination if, during his/her leave, they engage in activities inconsistent with the stated purpose for the leave. For example, employees may be prohibited from engaging in other similar employment during leave. Misrepresentations or any act of dishonesty related to these leave provisions may subject employees to corrective action, up to and including termination of employment.

2. WORKER'S COMPENSATION AND NON-FMLA LEAVE

Non-FMLA and Worker's Compensation can run concurrently. Non-FMLA Medical Leave requests for work injuries involving Workers' Compensation should follow the same process as FMLA with respect to the verification or clarification of the medical certification. Please see Policy Statement P-28: Workers' Compensation and Modified Job Duty for more information.

Effective date of this policy: 11/18/20



PRESIDENT DATE



CEO DATE

11/18/20

Prior effective date(s): 11/20/19